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THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The remand being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 25

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TOMOHIRO KAWATA, and
KUNIO MITOBE

MAILED

MAR 27 2002

Appeal No. 2002-0351
Application No. 08/931,615

PAT. & TM. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER REMANDING TO EXAMINER

On September 6, 2001, appellants filed a paper entitled "Amendment under 37 C.F.R. § 1.116" (Paper No. 22), and on February 21, 2002, "Petition under 37 CFR § 1.181 to Reset the Period for Reply to an Examiner Answer". There is no indication on the record, that these papers have been considered.

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Accordingly, it is

ORDERED that the application is remanded to the examiner for resolution of the following issues:

- consideration of the Amendment under 37 CFR § 1.116 (Paper No. 22);
- consideration of the Petition under 37 CFR § 1.181 to Reset the Period for Reply to an Examiner Answer (Paper No. 24);
- appropriate notification to applicants of the action taken; and
- for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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